

DETAILED ACTION

Continued Examination under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(c), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(c) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/10/2009 has been entered. No claim is amended. Claims 16-30 are new. Claims 1, 6, 11 and 16-30 are still pending.
2. Amendment received on 09/23/2008 was entered into record. Claims 1, 6 and 11 were amended.
3. Preliminary amendment received on 05/28/2008 was entered into record. Claims 1, 6 and 11 were amended. Claims 2-5, 7-10 and 12-15 were cancelled.

Priority

4. This application has no priority claim made. The filing date is 03/31/2004.

Examiner's Amendment

5. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
6. Authorization for this examiner's amendment was given in a telephone interview with Gerald Glanzman (reg. no. 25,035) on 04/28/2009.

7. The application has been amended against applicant submitted claim set dated 03/10/2009 as follows (only examiner amended claims are shown):

IN THE CLAIMS

6. A computer program product ~~stored~~ in a computer readable storage medium having computer usable program code for managing user status values in an instant messaging system, wherein the user status values indicate an availability to participate in an instant messaging session, the computer program product comprising:

means for receiving a first request from a second user to designate a do not disturb status that is associated with the second user such that a group of first users cannot initiate a new instant messaging session with the second user, wherein the group of first users comprises a buddy list of the second user;

means for receiving a second request from the second user to designate a subset of the group of first users such that the subset of the group of first users is authorized to initiate the new instant messaging session with the second user while a remainder of the group of first users cannot initiate the new instant messaging session with the second user;

means for the second user to receive a request from a first user of the group of first users to initiate the new instant messaging session with the second user; means for determining whether the second user has designated the do not disturb status;

means for determining whether the second user has designated the do not disturb status;
in response to determining that the second user has designated the do not disturb status,
means for determining whether the first user of the group of first users is included in the subset of the group of first users;

in response to a determining that the first user is not included in the subset of the group of first users, means for denying the request from the first user to initiate the new instant messaging session with the second user, and displaying a message to the first user that the new instant messaging session cannot be initiated; and

in response to a determining that the first user is included in the subset of the group of first users, means for displaying chat session windows for the first user and the second user for initiating the new instant messaging session with the second user.

21. A computer program product ~~stored~~ in a computer readable storage medium having computer usable program code for managing user status values in an instant messaging system, wherein the user status values indicate an availability to participate in an instant messaging session, the computer program product comprising:

instructions for receiving a first request from a second user to designate a do not disturb status that is associated with the second user such that a group of first users cannot initiate a new instant messaging session with the second user;

instructions for receiving a second request from the second user to designate a set of first users of the group of first users such that the set of first users is authorized to initiate the new instant messaging session with the second user while a remainder of the group of first users cannot initiate the new instant messaging session with the second user;

instructions for the second user to receive a request from a first user to initiate the new instant messaging session with the second user;

instructions for determining whether the second user has designated the do not disturb status;

in response to determining that the second user has designated the do not disturb status, instructions for determining whether the first user is included in the set of first users;

in response to determining that the first user is not included in the set of first users, instructions for denying the request from the first user to initiate the new instant messaging session with the second user; and

in response to determining that the first user is included in the set of first users, instructions for displaying a chat session window for the second user for initiating the new instant messaging session with the second user.

Reasons for Allowance

8. Claim 1, 6 and 11 were previously allowed as indicated in the Notice of Allowance mailed on 12/17/2008. Claims 16-30 are new. Examiner has reviewed claims 16-30 against claims 1, 6 and 11 with respect to the previous reasons for allowance. Examiner has found that the previous reasons for allowance are still applicable to the newly added claims 16-30. Claims 1, 6, 11 and 16-30 are allowed as amended above.

The following is an examiner's statement of reasons for allowance:

The closest prior arts of record issued to Appelmann (US 6750881 B1) and Largman Tang et al. (US 5960173 A) together fail to teach or suggest "a computer implemented method for managing user status values in an instant messaging system, wherein the user status values indicate an availability to participate in an instant messaging session, the computer implemented method comprising: receiving a first request from a second user to designate a do not disturb status that is associated with the second user such that a group of first users cannot initiate a new instant messaging session with the second user, wherein the group of first users comprises a

buddy list of the second user; receiving a second request from the second user to designate a subset of the group of first users such that the subset of the group of first users is authorized to initiate the new instant messaging session with the second user while a remainder of the group of first users cannot initiate the new instant messaging session with the second user; the second user receiving a request from a first user of the group of first users to initiate the new instant messaging session with the second user; determining whether the second user has designated the do not disturb status; in response to determining that the second user has designated the do not disturb status, determining whether the first user of the group of first users is included in the subset of the group of first users; in response to a determining that the first user is not included in the subset of the group of first users, denying the request from the first user to initiate the new instant messaging session with the second user, and displaying a message to the first user that the new instant messaging session cannot be initiated; and in response to a determining that the first user is included in the subset of the group of first users, displaying chat session windows for the first user and the second user for initiating the new instant messaging session with the second user” in combination with all the elements of each independent claim as presented by Applicant [See page 3 through page 5 of applicant’s amended received 09/23/2008]. Applicant argues that the prior arts together do not disclose or suggest the limitation combination of “receiving a first request from a second user to designate a do not disturb status that is associated with the second user such that a group of first users cannot initiate a new instant messaging session with the second user, wherein the group of first users comprises a buddy list of the second user”, “receiving a second request from the second user to designate a subset of the group of first users such that the subset of the group of first users is authorized to initiate the new instant messaging

session with the second user while a remainder of the group of first users cannot initiate the new instant messaging session with the second user", "determining whether the second user has designated the do not disturb status", "in response to determining that the second user has designated the do not disturb status, determining whether the first user of the group of first users is included in the subset of the group of first users", "in response to determining that the first user is not included in the subset of the group of first users, denying the request from the first user to initiate the new instant messaging session with the second user, and displaying a message to the first user that the new instant messaging session cannot be initiated"; and "in response to determining that the first user is included in the subset of the group of first users, displaying chat session windows for the first user and the second user for initiating the new instant messaging session with the second user". This argument is considered persuasive as per 5th paragraph on page 10 through 3rd paragraph on page 12 of applicant's amendment received 09/23/2008.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peling A. Shaw whose telephone number is (571) 272-7968. The examiner can normally be reached on M-F 8:00 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William C. Vaughn can be reached on (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/P. A. S./
Examiner, Art Unit 2444
/William C. Vaughn, Jr./
Supervisory Patent Examiner, Art Unit 2444